

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:	§	
	§	CASE NO. 21-40441-btr
	§	
LS MOTORCARS, LLC	§	
	§	
DEBTOR.	§	CHAPTER 11
	§	

**NOTICE OF SECURED CREDITOR NEXTGEAR CAPITAL, INC.'S  
INTENT TO OBTAIN RELIEF FROM AUTOMATIC STAY AND TO RECLAIM  
SECURED PROPERTY**

Pursuant to the Final Order Authorizing Use of Cash Collateral (the “Final Cash Collateral Order”) granting LS Motorcars, LLC (the “Debtor”) final authority to use cash collateral, NextGear Capital, Inc. (“NextGear”) hereby gives Notice that upon an Event of Default and three (3) days after service of the Notice of Default upon the Debtor (and after an expedited hearing if Debtor objects to said Notice), NextGear intends to enforce the provisions of its floor plan loan documents with the Debtor and reclaim its NextGear Vehicle Inventory (as defined in the Final Cash Collateral Order [Doc. # 44]) securing their individual agreement.

You should read this Notice and the Final Cash Collateral Order carefully and discuss them with your lawyer. (If you do not have a lawyer, you may wish to consult one). A copy of the Final Cash Collateral Order is attached hereto as Exhibit “A.”

If you do not want the Court to grant relief pursuant to the terms and conditions of the Final Cash Collateral Order, or if you want the Court to consider your views on the matter, then no later than fourteen (14) days after the referenced documents were served upon you either via the Court’s

CM/ECF system or by first class, postage prepaid, U.S. Mail, you or your lawyer must file with the Clerk of the Bankruptcy Court, 660 North Central Expressway, Suite 300B, Plano, Texas 75074, a response to the Notice explaining your position and electronically mail a copy of the response to:

Alan B. Padfield, Attorney for NextGear Capital, Inc., abp@padfieldstout.com

If you mail rather than deliver your response to the Clerk of the Bankruptcy Court for filing, you must mail it early enough so that the Court will receive it within the aforesaid fourteen (14) days of service to you.

If you file a timely response to this Notice, a hearing on your response will take place via telephone conference at a date and time to be set by the Court.

IF YOU OR YOUR LAWYER DO NOT FILE AND SERVE A TIMELY RESPONSE TO THIS NOTICE, THE COURT MAY FIND THAT YOU DO NOT OPPOSE THE RELIEF.

**Respectfully submitted,**

PADFIELD & STOUT, L.L.P.  
420 Throckmorton Street, Suite 1210  
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/s/ Christopher V. Arisco  
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*Attorneys for Movant, NextGear Capital, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned converted the foregoing document into an electronic image, via portable document format (.pdf), electronically submitted same to the Internet web portal for the Clerk of this Court utilizing the Electronic Management and Electronic Case Filing system of the Court, which has caused service, via Simple Mail Transfer Protocol (e-mail), of a Notice of Electronic Filing of this imaged document to the below-identified parties on Tuesday, May 25, 2021; said e-mail provides an attributable hyperlink to the document, in portable document format, except for Debtor(s), and any other entity so identified below or on the EM/ECF filing sheet, whereas in that instance such document was mailed via First Class United States Mail, to-wit:

<b>LS Motorcars, LLC</b> 6221 Norwood Drive Frisco, Texas 75034  <i>Debtor</i>	<b>Eric A. Liepins</b> Eric A. Liepins, P.C. 12770 Coit Road, Suite 850 Dallas, Texas 75251  <i>Attorneys for Debtor</i>
<b>United States Trustee</b> Office of the U.S. Trustee 110 N. College Ave., Suite 300 Tyler, Texas 75702	<b>And all those receiving ECF notification for this case and the attached matrix filed in this case.</b>

/s/ Christopher V. Arisco  
Christopher V. Arisco